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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

TIMOTHY J. GAUTHIER AND GARTH
BACHMAN, TRUSTEES OF THE OREGON AND
SOUTHWEST WASHINGTON NECA-IBEW
ELECTRICAL WORKERS AUDIT COMMITTEE,

Plaintiffs,

vs.

VITRO ELECTRIC, LLC,

Defendant.

Civil No.3:20-cv-01913-BR

GENERAL JUDGMENT
BY DEFAULT

Defendant, Vitro Electric LLC, was served with process and failed to appear and answer the Plaintiffs' Amended Complaint filed herein. An Order of Default was entered against Defendant on the 14th day of December, 2020, herein.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED, that Plaintiffs recover from Defendant:

- 1) Under Plaintiffs' First Claim for Relief, contributions of \$76,613.97, liquidated damages of \$15,322.79 and interest through January 8, 2021, in the amount of \$638.54, arising from failure to pay August and September 2020 fringe benefit contributions.
- 2) Under Plaintiffs' Second Claim for Relief, liquidated damages of \$8,701.17 and interest of \$362.53 arising from Defendant's late payment of July 2020 fringe benefit contributions.
- 3) Under Plaintiffs' Third Claim for Relief, outstanding wage withholdings of \$10,246.81 and interest on late paid wage withholdings of \$250.57 calculated through January 8, 2021.
- 4) Under all claims Plaintiffs, Oregon and Southwest Washington NECA-IBEW Electrical Workers Audit Committee, Comprised of Timothy G. Gauthier and Garth Bachman, acting on Behalf of Harrison Electrical Workers Trust Fund; Edison Pension Trust; National Electrical Benefit Fund; International Brotherhood of Electrical Workers District No. 9 Pension Plan; Barnes Labor-management Cooperation Committee and on Behalf of the Trustees of Said Trust Fund, and on Behalf of the International Brotherhood of Electrical Workers, Local 48, a reasonable attorney's fee against Defendant, in the sum of \$3,325.00 and Plaintiffs court costs in the sum of \$465.00.

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MONEY AWARD

- a. Judgment Creditor: OREGON AND SOUTHWEST WASHINGTON IBEW-NECA ELECTRICAL WORKERS AUDIT COMMITTEE, comprised of TIMOTHY G. GAUTHIER and GARTH BACHMAN, acting on behalf of HARRISON ELECTRICAL WORKERS TRUST FUND; EDISON PENSION TRUST; NATIONAL ELECTRICAL BENEFIT FUND; INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS DISTRICT NO. 9 PENSION PLAN; BARNES LABOR-MANAGEMENT COOPERATION COMMITTEE and on behalf of the Trustees of said Trust Fund, and on behalf of the INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 48, c/o Linda J. Larkin, Attorney, 210 SW Morrison Street, Suite 500, Portland, OR 97204
- b. Attorney for Judgment Creditor: Linda J. Larkin
503-546-9616
210 SW Morrison St., Suite 500
Portland, OR 97204
- c. Judgment Debtor: John Vitro managing member
Vitro Electric, LLC.
18489 S. Ferguson Road
Oregon City, OR 97045

DOB: N/A
EIN: 85-0534130

ODL: N/A
- d. Attorney for Judgment Debtor: None.
- e. Person or Public Body Entitled to Portion of payment made on Judgment: None.
- f. Amount of Money Award: \$112,113.91

- g. Attorney fees: \$3,325.00
- h. Costs Award: \$465.00
- i. Prejudgment Interest: Included in Money Award
- j. Post-Judgment Interest: 10% per annum on fringe benefit contributions of \$76,613.97 and 9% per annum on unpaid wage withholdings of \$10,246.81.

DATED this 20th day of January, 2021.

/s/ Anna J. Brown

The Honorable Judge Anna J. Brown
U.S. Senior District Court Judge
for the District of Oregon